



புதுச்சேரி மாநில அரசிதழ்

La Gazette de L'État de Poudouchéry

The Gazette of Puducherry

PART - I

சிறப்பு வெளியீடு

EXTRAORDINAIRE

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அதிகாரம் பெற்ற
வெளியீடு

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No. } 147	Poudouchéry	Mercredi	20	Septembre	2017 (29 Bhadra 1939)
No. }	Puducherry	Wednesday	20th	September	2017

IN THE COURT OF THE SUBDIVISIONAL MAGISTRATE (SOUTH) AT VILLIANUR

Present : Thiru N. UDAYAKUMAR,
Subdivisional Magistrate (South).

M.C. No. 324/2017 I.R. No. 32/2017

ORDER UNDER SECTION 144 of Cr. P.C.

To

Thiru Mathi @ Mathiyarasan (22),
S/o. Balakrishnan,
No. 36, D.B.G. Nagar,
Kaliheerthalkuppam Pet,
Puducherry.

Whereas, it has been made to appear to me that you have trivial and scant respect to the judiciary and rule of law, and you have involved in various offences against public tranquility, offences affecting property and offences affecting human body and that you have become a perennial source of threat to the community, public peace and order;

And whereas, I am convinced of your involvement in various criminal cases under (1) Cr. No. 78/2015 under sections 294(b), 323, 506(i) IPC r/w 34 IPC, dated 2-10-2015 of Thirubuvanai Police Station, Puducherry, (2) Cr. No. 11/2015 under section 107 Cr. P.C., dated 9-12-2015 of Thirubuvanai Police Station, Puducherry, (3) Cr. No. 63/2016 under sections 6 and 7 of POSCO Act, 2012, dated 6-7-2016 of Thirubuvanai Police Station, Puducherry and your vengeful acts along with your accomplices against your opponents has created panic in the minds of the people;

And whereas, the Station House Officer, Thirubuvanai Police Station has filed a case against you *vide* FIR No. 32/2017 under section 144 of Cr. P.C., dated 8-7-2017. It is stated by the Station House Officer, Thirubuvanai Police Station, that you are habitually indulging in crime such as threatening important persons and petty shop owners directly for money to maintain your group, damaging the property and making disturbance to the public tranquility and order and you have created panic in the minds of local inhabitants, farmers and business community in the rural limit. It is also stated that you have become a source of terror among the public. As a result the people of the locality being afraid of you and do not come forward to lodge any complaint against you. It is also stated that even witnesses don't come forward voluntarily to give evidence against you in the cases where you are the accused;

And whereas, it is also stated in the FIR that the Station House Officer have received reliable information that you are desperate and is in dire need of money to meet expenses in connection with the trial in the pending criminal cases against you. It is also stated that you are hatching plans to threaten the business people in the Puducherry area and extort money from them by threatening, but, the public do not come forward to lodge any complaint against you due to fear of retaliation;

And whereas, the Station House Officer, Thirubuvanai Police Station further, submitted that you are in the habit of threatening, extortion, damages public and private properties, and hurt cases in various offences. You also violated the conditions imposed by the Criminal Courts and has scant respect to the Judiciary and rule of law. It is also stated that if, you are allowed to reside in Puducherry limits, it is apprehended that you would continue to indulge in serious offences like threatening, extortion, damages to public and private properties, and hurt cases, *etc.*, and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer, Thirubuvanai Police Station has prayed to invoke provisions under sections 144(1)(2) (3) of Cr. P.C. against you, not to enter into the jurisdiction of Subdivisional Magistrate (South) Court for a period of three months as to prevent danger to the human life and properties and disturbance to the public tranquility and order;

And whereas, summons were served for your appearance on 24-8-2017 to file your explanation/objection as to why the Subdivisional Magistrate (South), Villianur should not order to prevent you from entering into the south region under section 144 (3) of Cr. P.C. The Station House Officer, Thirubuvanai Police Station stated that public are not coming to give complaints against you, General Diary entries are made. You putforth your side which is not convincing for not invoking section 144 Cr. P.C. against you;

And whereas, based on the report laid before me, I am of the opinion that if, you are allowed to reside within the limits of my jurisdiction, you will continue to indulge in and also motivate others to commit serious offences like murder, extortion, damages to public and private properties, assault, obstructions, annoyance, *etc.*, and thereby become a perennial source of threat to the community and disturb public peace and order. Such situations cannot be handled effectively by taking recourse to usual procedures contemplated by law and hence, it is necessary that special provision under section 144 of Cr. P.C. is invoked to take action against you to prevent harm to life and properties of citizens and uphold public peace and order;

And whereas, I am satisfied that you are an habitual offender, that your activities will endanger human life and properties and your presence is a threat to public tranquility in my Subdivision. Therefore, an immediate action is required for curtailing your illegal activities in the locality;

Now, therefore, based on the reasons stated above, I, N. Udayakumar, Subdivisional Magistrate (South), Villianur in exercise of the powers conferred under Code of Criminal Procedure, do hereby prohibit you under section 144 of Cr. P.C. from entering into the region under the control of my jurisdiction for a period of three months from the date of this order or till any further orders are passed by the Competent Authority revoking this prohibition as per law, whichever is earlier except when you are summoned to attend the cases in any of the Courts in Puducherry.

At Villianur, dated this 6th day of September 2017.

N. UDAYAKUMAR,
Subdivisional Magistrate (South).
